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Note verbale dated 14 March 2018 from the Permanent Mission of Armenia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Armenia to the United Nations presents its compliments to the Chair of the Security Committee established pursuant to resolution 1718 (2006) and has the honour to transmit the national implementation report of the Republic of Armenia pursuant to the measures contained in Security Council resolutions 2375 (2017) and 2397 (2017) relevant to Member States (see annex).

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Annex to the note verbale dated 14 March 2018 from the Permanent Mission of Armenia to the United Nations addressed to the Chair of the Committee

Report of Armenia on the implementation of Security Council resolutions 2375 (2017) and 2397 (2017)

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
3. Prevent the transfer to or from DPRK of financial transactions, technical training, advice, services and assistance related to: (a) All arms and related materiel? (b) Nuclear, ballistic missile or other WMD-related items or technology? (c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions? (d) Engagement in the hosting of trainers, advisers, or other officials for the purpose of military, paramilitary or police-related training?	Yes (Central Bank)	According to clause 18 of part 1 of article 10 of the Anti-Money-Laundering/ Combating the Financing of Terrorism Law of the Republic of Armenia, the Financial Monitoring Centre of the Central Bank of Armenia is entitled to publish the lists of non-compliant countries or territories, based on data publicized by international structures. According to the order of the Head of the Financial Monitoring Centre, lists published by or in accordance with Security Council resolutions shall be monitored and the amendments published on a daily basis.	The Financial Monitoring Centre of the Central Bank of Armenia notifies reporting entities about the requirements to freeze funds in the cases described in Security Council resolutions 2375 (2017) and 2397 (2017) and provides the financial institutions with the list of designated persons and entities. The definitions of "proliferation-related person" and "lists published by or in accordance with the Security Council resolutions" are now provided in part 1 of article 3 of the amendments to the Anti-Money-Laundering/Combating the Financing of Terrorism Law, which reads as follows: 33 (1) Proliferation-related person shall be any person that has been included in the lists published by or in accordance with the United Nations Security Council resolutions establishing targeted financial sanctions with regard to proliferation of weapons of mass destruction and (or) the financing thereof; (41) Lists published by or in accordance with the United Nations Security Council resolutions shall be the lists of terrorism-related or	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
			proliferation-related persons published by or in accordance with the United Nations Security Council resolutions. The amendments comprise stipulations relative to targeted financial sanctions in respect of proliferation financing in article 28 of the Anti-Money-Laundering/Combating the Financing of Terrorism Law and other dispositions that ensure the proper application of financial sanctions (see articles 2, 4 and 11 of the amendments to the Anti-Money-Laundering/Combating the Financing of Terrorism Law). In addition, the definition of the crime of proliferation provided by the Criminal Code has been amended to align it with the provisions of resolution 1540 (2004) (see article 1 of the amendments to the Criminal Code).	
4. Prohibit the transfer of any items if a designated individual or entity is the originator, intended recipient or facilitator of the item's transfer: in accordance with its national legal procedures, freeze funds, other financial assets and economic resources owned or controlled by, and ensure that none are made available to benefit designated individuals or entities, entities of the Government of DPRK or the Worker's Party of Korea, those acting on their	Yes (Central Bank)	The mechanism for freezing assets, including funds, other assets and economic resources of individuals or entities designated under United Nations sanctions resolutions is set out under article 28 of the Anti-Money-Laundering/Combating the Financing of Terrorism Law, according to which the property owned or controlled, directly or indirectly, by terrorism-related persons included in the lists published by or in accordance with the Security Council resolutions, as well as in the lists established by the national authority, shall be subject to freezing by customs authorities and	The Financial Monitoring Centre of the Central Bank of Armenia notifies reporting entities about the requirements to freeze funds in the cases described in Security Council resolutions 2375 (2017) and 2397 (2017) and provides the financial institutions with the list of designated persons and entities.	

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
behalf or at their direction and entities owned or controlled by them?		reporting entities without delay and without prior notice to the persons involved. According to article 30 of the Anti-Money-Laundering/Combating the Financing of Terrorism Law, non-compliance or inadequate compliance with the requirements of the Law (including freezing requirements) or the legal statutes adopted on the basis thereof by financial institutions shall result in responsibility measures, as established by the legislation regulating their activities, in the manner provided for under such legislation.		
5. Prevent (restrict) entry or transit of designated individuals together with their family members; of any individual acting on behalf or at the direction of a designated individual or entity or violating the sanctions or assisting in their evasion; of members of the Government of DPRK, officials of that Government, and members of the DPRK armed forces if the State determines that such members or officials are associated with the nuclear or ballistic missile programmes of DPRK or other activities prohibited by resolutions? **The travel ban does not apply to such individuals and entities when the Committee determines on a case-by-case basis that such travel is justified on the grounds**	Yes (National Security Service)	The entry (or transit) of the individuals of-DPRK included in the list according to Security Council resolutions 2375 (2017) and 2397 (2017) is permanently prohibited.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
of humanitarian need, including religious obligations, or the Committee concludes that an exemption would further the objectives of the resolutions. States can submit requests for exemptions from the travel ban for designated individuals and entities following the instructions set out in the Committee Guidelines.				
Expel such an individual for the purpose of repatriation to DPRK or to the individual's State of nationality consistent with applicable national and international law, provided that these measures shall not impede the transit of representatives of the Government of DPRK to the United Nations Headquarters or other United Nations facilities to conduct United Nations business. These measures shall not apply with respect to a particular individual if: • **The presence of the individual is required for fulfilment of judicial process;** • **The presence of the individual is required exclusively for medical, safety or other humanitarian purposes; or**				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
• **The Committee has determined on a case-by-case basis that the expulsion of the individual would be contrary to the objectives of the resolutions.**				
(Fact Sheet section V and VIII)				
6. Financial measures:	Yes (Central Bank)	According to chapter 2.1 of decision 386-N of 29 July 2005 of the Board of the Central Bank of the Republic of Armenia, in the case of a lump sum import or export of currency (except for coins made of precious metals) and treasury bills (hereinafter referred to as monetary instruments), as well as traveller's checks in excess of the total amount of $10,000 through the customs border of the Eurasian Economic Union, natural persons shall be obliged to declare in writing the full amount of the monetary instruments and (or) traveller's checks before producing them for customs control, by means of filing a passenger customs declaration. According to article 156.1 of the Customs Code, customs authorities shall suspend transportation of currency and (or) bearer securities based on information received for the purposes of anti-money-laundering or countering the financing of terrorism from the authorized body, as defined under the Anti-Money-Laundering/Combating the Financing of Terrorism Law, or from law enforcement agencies, in accordance with legislation or with international treaties of the Republic of Armenia, and shall draw up a report in two copies in the manner prescribed by legislation or by international treaties of the Republic of	The Financial Monitoring Centre of the Central Bank of Armenia notifies reporting entities about the requirements to freeze funds in the cases described in Security Council resolutions 2375 (2017) and 2397 (2017) and provides the financial institutions with the list of designated persons and entities. By presidential ordinance, an inter-agency committee on combating counterfeit money, fraud with plastic cards and other payment instruments, money-laundering and terrorism financing in the Republic of Armenia was established on 21 March 2002 and renamed the Republic of Armenia Inter-Agency Committee on Combating Money-Laundering, Terrorism Financing and Financing of Proliferation of Weapons of Mass Destruction. The Inter-Agency Committee's objectives are: Coordinating actions aimed at the identification and assessment of money-laundering, terrorism financing and proliferation financing risks in Armenia, as well as ensuring that the findings of such assessments are up to date;	
(a) Prevent the provision of financial services, or transfer of any financial or other assets or resources, including bulk cash and gold through cash and gold couriers, which could contribute to prohibited programmes or activities of DPRK, or to the evasion of sanctions, and exercise enhanced vigilance in this regard?				
(b) Prohibit DPRK banks from opening and operating new branches, subsidiaries, or representative offices; establishing new joint ventures; or taking an ownership interest in or establishing or maintaining correspondent relationships with banks in a State's jurisdiction or within its territory, unless such transactions have been approved by the Committee in advance?				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
(c) Prohibit financial institutions from opening representative offices or subsidiaries or banking accounts in DPRK?		Armenia. One copy of the report shall be provided to the person transporting currency and (or) bearer securities, and the other copy shall be maintained by the customs authority. Immediately upon suspending transportation of currency and (or) bearer securities, customs authorities shall promptly notify the authorized body or the law enforcement agency specified under clause 1 of the article that had submitted the relevant information. According to point 7 of article 13 of the Anti-Money-Laundering/Combating the Financing of Terrorism Law, within three business days after being notified that the customs authority suspended transportation of currency and (or) bearer securities through the customs border, the authorized body shall be obligated to advise the customs authority on lifting the suspension, or to submit a notification to law enforcement agencies. In the case of submitting a notification, the authorized body shall provide information substantiating the potential link between the suspended currency and (or) bearer securities and money-laundering or terrorism financing. The authorized body shall without delay advise the customs authority on submitting the notification. In addition, according to point 1 of article 28 of the Anti-Money-Laundering/Combating the Financing of Terrorism Law, the property owned or controlled, directly or indirectly, by terrorism-related persons included in the lists published by or in accordance with the Security Council resolutions, as well as in the lists specified under part 2 of the article shall be subject to freezing by customs authorities and reporting	Developing a unified State policy that reflects the findings of the assessment of money-laundering, terrorism financing and proliferation financing risks in Armenia; Coordinating domestic and international cooperation in the field of combating money-laundering, terrorism financing and proliferation financing; Implementing other objectives that are aimed at the enhancement of the effective system in Armenia for combating money-laundering, terrorism financing and proliferation financing and do not contradict the provisions of the presidential ordinance No. NK-1075 on the establishment of a committee of 21 March 2002.	
(d) Prohibit States from having representative offices, subsidiaries or banking accounts in DPRK, if the State has credible information that provides reasonable grounds to believe that such financial services could contribute to the prohibited programmes or activities, unless the Committee determines on a case-by-case basis that such offices, subsidiaries or accounts are required for the delivery of humanitarian assistance or the activities of diplomatic missions in DPRK pursuant to the Vienna Convention on Diplomatic Relations or the activities of the United Nations or its specialized agencies or related organizations, or for any other purposes consistent with the resolutions?				
(e) Prohibit the provision of public and private financial support from within their territories or by persons or entities subject to their jurisdiction for trade with				

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
DPRK that could contribute to the nuclear or ballistic missile programmes of DPRK or other activities prohibited by the resolutions?		entities without delay and without prior notice to the persons involved. The State bodies or persons that have legally defined powers to restrict (arrest, block, freeze, suspend) the possession, use and (or) disposal of the property stipulated in this part shall exercise their power in the manner established by the law whenever they disclose such property. The procedure of licensing for banking activity, including registration of branches and representative offices of foreign banks, is regulated by the Republic of Armenia Law on Banks and Banking, as well as by regulation 1 on procedures for licensing, registration, giving consent and permission, appraisal of professional adequacy and qualification in the area of activity of banks. Articles 27 and 28 of the Law on Banks and Banking specify, inter alia, the documents to be submitted for the registration of a branch or a representative office of a foreign bank, the registration procedure as well as the grounds for waiving applications for registration. Pursuant to regulation 1, for the prior approval of the issuance of the banking licence, documents to be submitted to the Central Bank by a branch of a foreign bank include a statement indicating that the home country of the foreign bank is considered to be a cooperative country in terms of combating money-laundering and terrorism financing, and that no statement has been published for the given country by the Financial Action Task Force and/or other relevant international body about the non-compliance of the country's system for anti-money-laundering/combating the financing of terrorism.		

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Yes/no*	*Indicate measures (in detail)*	*Additional information*	*Remarks*
		The definition of freezing, as stated in clause 37 of part 1 of article 3 of the Anti-Money-Laundering/Combating the Financing of Terrorism Law, includes prohibition of the establishment of any business relationship (including provision of financial services) or conduct of occasional transactions with designated persons and entities. Accordingly, reporting entities are prohibited from establishing financial relationships with DPRK banks and making funds or other assets available to or for the benefit of designated entities.		

Abbreviations: DPRK, Democratic People's Republic of Korea; WMD, weapons of mass destruction.